

# Order

Michigan Supreme Court  
Lansing, Michigan

January 5, 2007

Clifford W. Taylor,  
Chief Justice

130671

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

TRI-COUNTY INTERNATIONAL TRUCKS,  
INC., and IDEALEASE OF FLINT,  
Plaintiffs-Appellees,

v

SC: 130671  
COA: 255695  
Lenawee CC: 02-000986-CK

HILLS' PET NUTRITION, INC.,  
Defendant-Appellant.

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On December 13, 2006, the Court heard oral argument on the application for leave to appeal the October 25, 2005 judgment of the Court of Appeals. On order of the Court, the application is again considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

CORRIGAN, J., concurs in part and dissents in part:

I dissent from the order to the extent that it denies leave to appeal on the issue whether defendant has a contractual duty to indemnify plaintiff Tri-County International Trucks, Inc. I would reverse in part the judgment of the Court of Appeals for the reasons stated in Judge Zahra's partial dissent. I concur with the order to the extent that it denies leave to appeal on the remaining issues.

MARKMAN, J., joins the statement of CORRIGAN, J.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 5, 2007

*Corbin R. Davis*

Clerk